

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL GOVERNANCE TASK FORCE MEETING**

September 13, 2001
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Skip Rimsza, Phoenix, Chairman	Mayor Keno Hawker, Mesa
* Mayor Ron Drake, Avondale	Tom Martinsen, Paradise Valley
Mayor Roy Delgado, El Mirage	Mayor Wendy Feldman-Kerr, Queen Creek
* Ed Beasley, Glendale	Jan Dolan, Scottsdale
Stephen Cleveland, Goodyear	Bill Pupo, Surprise
Mayor J. Woodfin Thomas, Litchfield Park	

*Not present.

1. **Call to Order**

The meeting of the Regional Governance Task Force was called to order by Chairman Skip Rimsza at 1:38 p.m.

2. **Approval of September 6, 2001 Meeting Minutes**

Chairman Rimsza asked for a motion to approve the September 6, 2001 meeting minutes. Bill Pupo moved, Mayor Keno Hawker seconded, and the motion carried unanimously.

3. **Update of Task Force Progress**

James M. Bourey summarized the progress of the Task Force, including the establishment of the Task Force, its appointed members and meeting dates. He reviewed the appointment of the Advisory Committee, its appointed members and direction provided to them by the Task Force. Mr. Bourey summarized the list of issues to be examined, including MAG's roles and responsibilities, geographic extent of the region, appropriate membership, organizational structure, voting and decision making structure, and the name of the organization. He stated that at the last meeting, some wordsmithing of major issues that need to be addressed took place. The revised issues identified include: 1) Issue of accountability of the Regional Council. Issue of parochialism in making regional decisions. Issue of clear identity and public understanding of MAG. 2) Need for additional connection of local governments' land use decisions to the availability of adequate regional public facilities. 3) Need for integration of all modes of transportation with funding, planning, and operations. 4) Need for improved and complete communication on issues which cross jurisdictional boundaries.

John Parr joined the meeting via audioconference. He explained that he was unable to attend the meeting in person because of airport closures.

Mr. Bourey asked members if they wanted to hold the next meeting on October 10th, prior to the 6-hour joint meeting on October 22nd. Chairman Rimsza noted that the Executive Committee supports the idea of the joint meeting. Chairman Rimsza asked if all agreed to this approach.

Tom Martinsen expressed his concern with the September 6th joint meeting. He indicated his sense that the Task Force/Advisory Committee felt like one big committee. Mr. Martinsen stated that he felt like they were in negotiation. Mr. Martinsen stated that he preferred to have better agreement among the Task Force about what the choices are before meeting again as a larger group. He stated that the Task Force needs to know what they are willing to agree to and what they are not.

Mayor Woody Thomas stated his agreement with Mr. Martinsen. He commented on his past experience with advisory committees that they get together and provide guidance for review. He indicated that at the September 6th meeting, it seemed like negotiation rather than an advisory committee drafting recommendations for the Task Force to review.

Jan Dolan stated that she was not uncomfortable with them participating because she believes the more discussion the better. She commented that it will be difficult to make decisions as a larger group. Ms. Dolan suggested using this meeting and the next to determine key issues. She indicated that she wanted to get really clear on the roles and responsibilities and structure.

Mayor Roy Delgado stated that the Task Force should meet together one more time before meeting with the Advisory Committee.

Mayor Keno Hawker stated that the Task Force should address the four or five items with the proposal coming back from this group saying this is the feedback we've gotten from you, this is what we recommend.

Mr. Pupo commented that he would rather see the group meet intensively to get their work comprehensively done. Two hour meetings are a stop and go process and continuity is lost when we continually start and stop.

Chairman Rimsza asked for confirmation from the Task Force that he was hearing the body say that they want to use this meeting and the next to decide direction, then present to the Advisory Committee and let them comment on it. Then the findings would go to the Regional Council.

Mayor Wendy Feldman-Kerr asked if the Task Force would present the information to the Advisory Committee before the meeting, have them comment, then send them on their way. She indicated that she did not see doing this on the same day. They asked to be part of this. The Advisory Committee would feel they were used for a brief time and then sent on their way.

Mr. Pupo stated that he would like to spend a comprehensive period of time to decide, whether the advisory committee meets with us or not it is all right. He stated that he felt uncomfortable trying to pound this out in a couple of hours in short spurts where people have to get up and leave.

Chairman Rimsza stated that we don't want to get into negotiation with those without vested interest, but we do want to hear from this group and get their feedback.

Mr. Bourey suggested that both groups meet on October 22nd, after the Task Force has met for 2-4 hours by themselves, then bring in the advisory committee for discussion on various alternatives determined by the Task Force.

Chairman Rimsza asked members what they thought of cancelling the October 10th meeting. A meeting would be scheduled for October 22nd, when the Task Force would meet for four hours, and the Advisory Committee would join the meeting for the last two hours to get their feedback. He stated that he was open to suggestions.

Mayor Thomas stated that he did not like getting information at the table, but likes to get it in advance to be able to digest the information. If we really want their complete comment, they should get advanced information and give the Task Force their input on what we've come up with. He indicated that it is only fair to have advance information.

Mr. Bourey stated that the October 10 is scheduled as a joint meeting and what was determined today could be transmitted to the Advisory Committee.

Ms. Dolan stated that the advisory committee is starting to feel like a huge group of people with equal authority to make decisions. They were blending into the Task Force. Their value is to provide feedback to us. She stated that the October 10th meeting should be just the Task Force. Chairman Rimsza stated that the information from this meeting could then be transmitted to the Advisory Committee.

Mr. Parr stated that options could be developed at the October 10th meeting. The options could be presented to the Advisory Committee on October 22nd, and then the Task Force could use the November meeting for final decisions.

Chairman Rimsza stated that if we pick choices, we get a positive or negative on each, and would be more likely to receive legitimate input. This gives us more political flexibility. Chairman Rimsza stated that there are some folks in that group who don't want us to succeed. They may feel that this may make us too viable. Having choices is a good approach.

Mayor Feldman-Kerr stated that the Advisory Committee probably expect and want to be part of this 6-hour meeting.

Chairman Rimsza asked for thoughts on how long the meeting on October 10th should last.

Mr. Bourey stated that the Task Force would give general direction to staff. The Task Force would meet as a group on October 10th, to formulate recommendations to discuss with the Advisory Committee on October 22nd, then adjourn and have discussion.

Ms. Dolan stated that six hours on the 22nd may not be needed, but more time may be needed at the October 10th meeting. She stated that she heard that the Task Force would take input received on October 22nd and meet one more time to firm up recommendations.

Chairman Rimsza stated that many of MAG's managers and mayors may not be as informed as we want. We need time to discuss with them and let them know what we are doing, which will provide ownership. He noted that resistance may be encountered. Chairman Rimsza stated that what he was

hearing is that the Task Force would still meet on October 10th for three hours. Make sure everyone understands that is a real decision making meeting. Chairman Rimsza stated that the Advisory Committee will be notified of the October 22nd meeting and that the options from this meeting will be provided to them in advance. Chairman Rimsza stated that the Task Force would meet afterward to debrief and put together recommendations for the Executive Committee and body.

Mayor Feldman-Kerr suggested keeping the meeting to six hours for that joint meeting. This would allow plenty of time.

Chairman Rimsza commented that since this isn't an arbitration, this isn't a negotiation, and the issues have been narrowed already, the meeting should be able to be completed in three hours.

Mayor Feldman-Kerr explained that one hour would be needed for each of the six topics, and 15 minutes to get into them. We need to get from topic to topic. We may be able to leave early. But we don't want to be unable to accomplish what we need to accomplish.

Chairman Rimsza stated that he liked the idea of them commenting on categories, which would not be as time consuming.

Stephen Cleveland stated that a longer meeting is needed, because there are six topics, 15 minutes of briefing on each, 30 minutes of feedback, then transition.

Chairman Rimsza suggested inviting all mayors, tell them it is important and can participate. Mayor Feldman-Kerr stated that she did not agree because those who have not served on the Task Force do not have the background and may have comments that aren't pertinent.

Chairman Rimsza stated that it was important for staff to give a briefing to other Regional Council members, who could provide feedback. Mr. Bourey brought up the fact that every document has been sent to the Regional Council, Management Committee, and intergovernmental liaisons. Mr. Bourey stated that it is important to note that this will not be a simple process because the Advisory Committee is composed of a wide spectrum of interests.

Chairman Rimsza stated that it was agreed to hold a 6-hour meeting on October 22nd, which will be the input session and dialogue from the Advisory Committee. On October 10th there will be a 3-hour meeting of the Task Force only. Then the Task Force will meet one more time for final recommendations.

Mr. Bourey mentioned that meetings are already scheduled for November 1st, November 29th and December 12th. Chairman Rimsza expressed his hope that the finalization meeting could take place on November 1st.

Mr. Cleveland made suggestions about how to make the October 10th meeting successful. He stated that this is a real opportunity to build some models, ideas around each of these categories and build options everyone can wrestle with. Everyone should come having read the material. Mr. Cleveland stated that some time limitations will be needed so staff can get the material out for review.

Ms. Dolan commented on two critical areas. She stated that a big stumbling block has been the extended roles and responsibilities for MAG. Ms. Dolan stated that transit planning and land use

planning are critical. For land use planning, not authority, but some kind of role analyzing the impacts of some types of projects and have that information available. The group needs to decide as a group any expanded role for MAG, especially in land use planning. Ms. Dolan indicated that there is a lot of discomfort in her city on that.

Mr. Martinsen stated suggested spending time on outlining key decision areas and the choices.

Mr. Bourey stated that Mr. Parr had prepared a brief synopsis on the major issues as he sees them.

Ms. Dolan stated that the six points originally identified are the key points. These are what we should decide: roles and responsibilities of MAG, geographic extent of the region, appropriate membership, organizational structure, voting/decision making structure, and name of the organization.

Mr. Parr stated that private sector members of the Advisory Committee have indicated that they do feel there is some reasonable connection to land use and adequate public facilities and integrating transit and they want to see those two activities being done more effectively. He stated they aren't suggesting how that should be done. But unless MAG can figure out how to be more effective in these two areas, those members may have a hard time supporting the sales tax election and may look to some other regional authority for transportation planning. Mr. Parr stated that a look could be taken at some ways local governments can do a better job in connecting land use decisions and then looking at how to do a better job in funding decisions, interconnectedness. Then members could come back on October 10th with a more focused discussion.

Chairman Rimsza stated that mayors and managers are nervous about having MAG involved in land use planning. He stated that no one wants to be in position to have MAG review their decision about land use. If afterward there is some analysis, that would be all right. They may not want to make this decision all at once. It is difficult to accept a lot of change at once. How do we walk that line and still keep the Advisory Committee on board?

Mayor Feldman-Kerr stated that she did not see a problem with looking at land use planning prior to a decision. Advance knowledge of impacts could be useful because then the developers could be asked for more.

Mayor Thomas suggested having MAG as a place for repository and analysis so all could look at the information and make better decisions. He mentioned shared revenue, brought up by Mayor Tibshraeny at another meeting, as an example. We're going to have impacts from one community to the next. To have a repository where that information could go, not as a control factor but as information, we could bring this to the attention of the developers.

Chairman Rimsza asked members if they wanted to consider before analysis and after analysis. He asked if anyone wanted to have discussion on more than those two options?

Mr. Cleveland stated that he was not suggesting doing more than an impact analysis, but if you do one afterward, so what? People know when they have made a bad decision. That doesn't help us. Mr. Cleveland stated that is why he would want to know in advance so he could make a better decision. He stated that he liked limiting the impact of a structure. Why didn't the developer help finance the burden instead of the community? With Anthem, the developer could have added funding for capacity. The community as a whole needs to be told that we decided to build a project that they may

have to subsidize later. Land use analysis before will give us the ability to make better decisions. Mr. Cleveland stated that this is only about increasing our knowledge and not taking away local control.

Ms. Dolan stated that she was willing to take forth to the Advisory Committee whether this analysis should be done before or after. She suggested narrowing it to analyzing impact on regional public facilities, not how large in acres, but by showing that the project generates x number of trips, the impact on regional transportation.

Mr. Martinsen asked if there was any value in introducing a project of regional significance, that should be the only thing they comment on.

Mayor Thomas commented on no minimum since it would only be a repository. He stated that Litchfield Park will double their population, which will have a big impact even though they are relatively small. Mayor Thomas stated that he just wants the information.

Ms. Dolan stated that there are so many projects in Maricopa County at any one time that the process would be bogged down. What impact a project had on transportation would be an issue, not if it had impact on your local high school.

Chairman Rimsza stated that the Task Force will look at whether there is a review of analysis before or after development is granted and how it is determined which projects will be selected. Mayor Hawker asked if anyone wanted to examine analysis after?

Mr. Cleveland commented on earlier discussion on reporting back how will the impacts be mitigated. Chairman Rimsza stated that there are some projects not big enough to review in advance but as they develop, then look at analysis to determine the infrastructure needed to accommodate. Mayor Hawker stated that we don't want the Advisory Committee to select between analysis before or after.

Ms. Dolan stated that all MAG has to do is identify the impact and send back to the local agency. Maybe they do need to report back out how they will mitigate those efforts. Chairman Rimsza stated that once you get into land use planning, you bring a lot of people into the game. Ms. Dolan commented that is why we should start rationally and reasonably.

Mayor Delgado commented on including air quality when looking at regional adequate public facilities. He commented on the role and responsibility in transit. Mayor Delgado stated that all cities in Maricopa County should have access to transit.

Mr. Martinsen expressed that RPTA should be folded into the organization. Chairman Rimsza mentioned that RPTA doesn't exist after 2005. He explained that it is an organization that receives a tiny bit of money from the State. The rest of us fund transit completely on our own. RPTA has a few members with transit money. I think it may be a good idea to look at how we fold transit money from the state into our process. We can't fold them into MAG because they do not have funds. Chairman Rimsza stated that all the RPTA Board manages is a little funding from the State, which ends soon.

Mr. Martinsen stated that one of the things people expect is a simplification of the planning process. This could be seen as a consolidation of the planning process. Consolidation into a larger organization would be more effective.

Chairman Rimsza stated that would be like asking two cities to fold in their police departments and have MAG manage it. Regional money should be managed by MAG, but cities can't be asked to give up their money. There is a misperception of what RPTA is and what it is not.

Mayor Hawker urged a further analysis of two items. The first item would be the full integration of transportation related issues. He stated that it can get complicated when cities have their own sales tax, and citizens are looking for a body that takes care of this region. Mayor Hawker stated that an integrated, single body with regional authority is needed. Mayor Hawker indicated he was not ready to propose how that would work. Mayor Hawker stated that the second item for further analysis would be a transit-only related body that looks at light rail, commuter rail, buses, funded by the ½ cent sales tax, municipal money and regional money.

Chairman Rimsza stated that an empty drawer organization could be formed as a component of MAG. Currently unfunded, it would be in place if the sales tax is extended. Then MAG could have a seat at the table in managing those funds.

Mr. Parr asked if the Governor's Vision 21 Task Force had made a decision on transit authority. Put their options out there and deal with the shortcomings of that.

Mayor Hawker stated that the Task Force needs to hear the pros and cons how a 5-member body who are non-political, could do their jobs without adding another layer of government.

Ms. Dolan stated that the discussion was becoming more focused on structure when we need to look at roles & responsibilities. She asked about allocations of the existing ½ cent sales tax to transportation and to transit. Mr. Bourey stated that the existing tax has \$7 million that goes to transit.

Ms. Dolan asked if the intent is that 50 percent would go to traditional projects and 50 percent to regional transit projects if the ½ cent sales tax is extended? If that's the case, it's important to have a group like MAG that will have the money that goes to regional transit and coordinate with what the cities are doing with the money. Chairman Rimsza stated that RPTA does that somewhat. He expressed that what cities with transit worry about is that because they have their own funding source they will get nothing from an extension for transit. This will fill in the funding gaps. Ms. Dolan commented that if the funds are regionally generated money, MAG should be responsible for managing. Chairman Rimsza commented on managing the funds through RPTA. Ms. Dolan suggested getting input from the Advisory Committee on this.

Chairman Rimsza stated that the key is to have all the money in capital, not in operation. Buses don't have operating costs. It is easy to buy a bus, but hard to keep it filled with gas and driven. Ms. Dolan stated that this may be a way to get support that some money comes back to jurisdictions. Chairman Rimsza stated that the fixed capital side could be governed by MAG but operating could go through local and RPTA. Ms. Dolan stated that we need to decide who governs regional money.

Mr. Bourey stated that the next category was geographic extent of the region.

Mr. Martinsen stated that the question is whether Apache Junction and Pinal County should be added. He noted that certain topics can't be separate, such as air quality. They should be able to come to the table.

Mr. Cleveland stated that the airshed issue needs to be defined, then all in the air shed should be involved in the process and then decide how they participate.

Mayor Feldman-Kerr stated that the other issue is what kind of control MAG has over Apache Junction and Pinal County. Are we asking or are we telling them? We need to explain our expectations. If we bring this up, we need to know how communication would go so they don't have a knee jerk reaction that we don't want MAG to have control. Communication with them needs to be informational, not threatening.

Mr. Martinsen stated that there would be more motivation for them to come to the table. The concept is whether we create a larger area to accommodate. This is an opportunity for them, and it may take an intergovernmental agreement or state legislation. Mayor Feldman-Kerr noted the concern of CAAG in their role. Mr. Bourey reminded members that MAG is a voluntary organization.

Mayor Delgado suggested inviting them to table on same level when there are issues of impact.

Ms. Dolan commented on expanding membership or creating a mechanism so the impacts upon them will be considered. Chairman Rimsza questioned whether the impact by them on us was also going to be considered.

Ms. Dolan asked if they needed to bring their funds with them? Mr. Bourey explained that Apache Junction is part of the planning area for which MAG receives money, so there is an equity issue because they are not a voting member.

Mr. Bourey stated that membership, structure, voting would be discussed next.

Chairman Rimsza stated that options to discuss included an executive committee with power, a membership committee, creating a larger body, including for example, private sector membership, or no change at all.

Mr. Martinsen stated that organizationally, there were four things he would like to see: 1) do nothing, 2) create an expanded board with private representation; 3) create a separate transportation authority; 4) establish a consolidated organization. He stated that he had some ideas on this. It would be a great way to bring a lot of people to the table and not destroy the existing structure, blending MAG and RPTA. An executive committee, transportation advisory group, could all be done under structure of a consolidated regional organization.

Mayor Feldman-Kerr suggested taking some of the people and making them an advisory board, with no change to the existing board makeup but getting their feedback Mr. Bourey clarified that members did not want to pursue proportional voting, just adding to the structure.

Ms. Dolan stated that some variations on that which adds for example three business people, or one from environmental community, or advisory committee member could be given. She expressed an idea that the structure would expand people on MAG, but also a dual structure where all would be members of an advisory group who would choose an executive committee.

Mr. Cleveland stated that one scenario would be that all members would have the right to sit on the advisory committee, all elected officials vote certain members, elect certain representation from the general body so there is true accountability.

Chairman Rimsza asked Mr. Bourey to explain the balance of the current executive committee. Mr. Bourey explained that the composition of the Executive Committee does not mention specific balance, it just mentions balanced. Chairman Rimsza stated that if an executive committee with power is created, the body will want this to be more specific. He stated that some formal agreement is needed as to who will be on it. Phoenix would require that it be on the body, since they represent three million people.

Mayor Feldman-Kerr commented on going back to the idea of an advisory committee, then the rest of us vote. Instead of changing our board, instead of putting in business, schools, what has been described as an executive committee would be her ideal of an advisory committee, not as the decision making body. She commented that her town's board agrees with their planning and zoning department 98 percent of time.

Chairman Rimsza stated that he felt that the body is already too big and ineffective as is. We are not going to get money because we are ineffective.

Mayor Feldman-Kerr asked why Queen Creek was on the board if it is too big and not able to do anything? What is their role? Chairman Rimsza stated he was not going to defend this model. But Mayor Feldman-Kerr could end up on the executive committee. Mayor Feldman-Kerr asked what would happen if she wasn't on the executive committee. Ms. Dolan commented that those not on the executive committee would be the advisory committee to elected officials and you could lobby them.

Mr. Martinsen stated that executive committees usually act on administrative matters. He expressed that there would be solutions to lay out how decisions are made by executive committee and the whole board. He commented that he did not think the executive committee would make decisions for the whole board in all things.

Mr. Cleveland stated that accountability is the ultimate issue we are trying to resolve. If they were elected by the general membership there is more credibility that they are speaking on behalf of whole. He suggested that the pros and cons of alternatives be examined.

Mr. Bourey stated that the last issue is the name of the organization. Chairman Rimsza stated that his preference was Metropolitan Leadership Council.

Mayor Delgado stated that he had suggested Greater Maricopa Metropolitan Association of Governments (GMAAG), Maricopa Metropolitan Association of Governments (MMAG) or Associated Cities of Maricopa County (ACMC).

Mr. Bourey stated that it was the goal to provide materials no later than one week before the next meeting.

Mr. Martinsen stated that he would also like to look at a consolidated regional organization. Mr. Cleveland stated that members could send specific models that could be married into the package.

He commented on taking the Mile High Compact and look at it and how we could do an intergovernmental agreement among all participating parties as means of showing solidarity.

Chairman Rimsza expressed his concern with the Mile High Compact because it was originally an agreement with cities. The Legislature took away flexibility to make it law.

Mr. Parr stated that the agreement is with cities and most of the counties. The legislature is saying that all jurisdictions, cities and counties have to join under the tenets of the Mile High Compact.

Mr. Cleveland stated that this presents an opportunity to have dialogue before the legislature runs out and does this to us in some form. He commented that it would be better to do it ourselves. Mr. Cleveland stated that there needs to be a verbal articulation so that the public believes and knows what we are doing, with leadership, rather than this ghost that steps out once in awhile. Mr. Parr stated that this could be put out as a point of discussion.

There being no further business, the meeting adjourned at 3:00 p.m.

Chairman

Secretary